

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

APR 6 2011

JAMES N. HATTEN, Clerk
By: Deputy Clerk

UNITED STATES OF AMERICA

vs

ANDREW SUTTON

Defendant

ORDER OF DETENTION PENDING TRIAL

Case No.: 1:11-CR-67

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f) a detention hearing has been held.

Part I - Findings of Fact

A. Rebuttable Presumption Cases

☒ (1) This is a **rebuttable presumption case** because there is probable cause to believe that the defendant has committed an offense under 18 U.S.C., § 3142(e)(3), that is, an offense, for which a maximum term of imprisonment of ten years or more is prescribed in 18 USC 252; or under § 924(c); and

☐ (2) Defendant has **not rebutted** the presumption that no condition or combination of conditions will reasonably assure the safety of another person or the community

B. Non-Rebuttable Presumption Cases

☐ (1) This is **not a rebuttable presumption case**; however, the case is eligible for a detention hearing under 18 U.S.C. § 3142(f)(1); and

(2) There is a serious risk that

☐ (a) The defendant will not appear, and/ or

☐ (b) The defendant will endanger the safety of another person or the community.

Part II - Written Statement of Reasons for Detention

I find that the information submitted at the hearing establishes:

☐ by a preponderance of the evidence, that no condition or combination of conditions will reasonably assure the appearance of the defendant as required; and/or ☒ by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of other persons and the community

My reasons are: Δ has no ties to community & engaged in explicit chats w/
minors/there he bolstered reputation

Part III - Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: 4/6/11

ALAN J. BAVERMAN, UNITED STATES MAGISTRATE JUDGE